prevent unnecessary suits against the Government in regard to *Kandukrishi* lands and the *pattom* thereon, then it was very unjust that the plaintiff should be required to take the sanction of the defendant (Sirkar) for suing the latter. No defendant would accord such sanction. If, on the other hand, the object was to safe-guard the interests of the Government, then also the sanction was needless. For, in suits between two private parties, whatever might be stated in the decrees, it would not and could not bind the Sirkar, as they were no party to the suits. The hardships caused to the ryots by the refusal of sanction and by the grant of sanction after the suit was time-barred were very great. The High Court had ruled in T. L. R. XXII, 1, that the sanction of the Government was not required in suits between two private parties. As there was therefore no necessity or justification for the retention of Section 7 A in the Codee, the Member prayed that it should be expunged.

Dewan's reply.—The Division Peishkars will be asked to report if the provision of the law, referred to, can be cancelled, without any prejudice to the interests of the Government.

23. The necessity for legislation regarding inheritance in the Eazhava community.

Mr. C. Krishnan Vydian (Member, Nominated) said that, among the Eazhavas, there were about 3,00,000 Marumakkathayees, 15,000 Makkathayees and 2,900 people who followed a mixed law of inheritance scattered all over the State. The necessity for a law of inheritance common to all classes of Eazhavas was keenly felt and the absence of such a law was detrimental to the progress and prosperity of the community. Among the Eazhavas, the marriage relationship was more or less akin to that of the Makkathayees. The attachment of the wife towards the husband, her attention to the management of the household and the property of her husband during his absence would all go to show that the Makkathayam law of inheritance would likely be preferred by the community to the Marumakkathayam law. But, on that point, it was necessary to ascertain the concensus of opinion of the community. The Member requested that a Commission might be appointed, similar to the one appointed for the Christians or for the Nanjanad Vellalas, to investigate the question and submit a comprehensive report; or that the S. N. D. P. Yogam at Trivandrum might be authorised to draw up a draft law to regulate the inheritance in the community in accordance with the views of the majority. If that was not feasible, the Nair Regulation might be adapted to suit the needs of the community. The original draft Nair Bill was wide enough to include the Eazhavas within its scope; and if it had been passed in that form, there would have been no occasion for the present cry. He therefore prayed that the Government might be pleased to take early action on any of the lines indicated above. He added that a memorial on the subject had been submitted to the Government by the Eazhava Members of the last Assembly but he regretted to say that nothing came out of it.

Dewan's reply.—Noted.

24. The necessity for providing for the registration of all marriages.

Mr. K. Parameswaran Pillai B. A., B. L. (Member, T. I. C., Trivandrum) said that it would not be denied that marriage was an important event in the life of a man as also of society. If the number of births in a community indicated its growth and prosperity, the number of marriages, which gave rise to births, could not but be an even more important factor. From a social and economic point of view, the number and particulars of marriages taking place in the State from time to time should be watched and noted, and the only means of doing it was by means of registry of all marriages. The Member pointed out that there was no record of marriages in Travancore except among Christians. Marriages were very often questioned in courts of law, especially among the Nairs, Eazhavas and Mahomedans. He would not propose that registration of marriages should be made an essential element for the legal validity of a marriage; but a public record of marriages, kept regularly and in the ordinary course of business, would be very valuable as a means of supplying good and strong evidence, as in the case of births and deaths registers. He therefore pro-

LIBRARY ARCHIVES Kerala Legislative Assembly